

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Jay D. Caplan *et al.* Confirmation No: 9460  
Application No: 10/646,271 Group: 3768  
Filed: August 22, 2003 Examiner: Rozanski,  
Michael T.  
For: Method and System for  
Spectral Examination of  
Vascular Walls Through Blood  
During Cardiac Motion  
Customer No.: 29127

Attorney Docket No.	0010.0006US1
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### **REQUEST FOR RECONSIDERATION**

#### **Commissioner for Patents**

P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the pending Office Action, mailed August 22, 2007 (Paper No. 20070813), reconsideration is requested in view of the following remarks.

#### **Remarks**

Claims 1-27 and 29-64 are pending in this application.

Claims 1-27 and 29-64 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-73 of copending Application No. 10/426,750 in view of Auer *et al.* US 5,383,467.

Deferment of the resolution of this issue is requested until patentable matter is identified in either or both of the applications.